

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 through 6 are pending, with Claim 1 being independent. Claim 1 has been amended. Applicants respectfully wish to direct the Examiner's attention in this regard to, e.g., page 34, lines 21 through 24. Of course, the claims are not limited to the disclosed embodiments.

Claims 1 through 6 were provisionally rejected on the judicially-created ground of non-statutory obviousness-type double patenting over Claims 1 through 7 and 9 of Appln. No. 10/909,281. All rejections are respectfully traversed. Applicants respectfully request that any provisional rejection be held in abeyance until such time that any such application actually issues as a patent, since the provisional rejection presently is not the only rejection remaining in the subject application. MPEP 804.

Claims 1 through 6 were rejected under 35 U.S.C. § 103 over U.S. Patent Appln. Pub. No. 2003/0219551 A1 (Burch, et al.) in view of U.S. Patent No. 6,495,242 B1 (Tsuchiya, et al.). All rejections are respectfully traversed.

Claim 1 recites, *inter alia*, that the degree of crosslinking of the second layer region is larger than that of the first layer region, and the binder is substantially uniformly distributed in the ink-receiving layer.

However, Applicants respectfully submit that neither Burch, et al. nor Tsuchiya, et al., even in the proposed combination, assuming, *arguendo*, that the documents could be combined, discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claim 1.

It is further respectfully submitted that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features. In this regard, by way of explanation, and not of limitation, Applicants respectfully submit that it is important to distribute the binder uniformly in the ink receiving layer because, in a recording medium itself, variations in conditions of the existence of the binder may lead to an excess absorption of ink, causing a low-density portion, or conversely lead to a less absorption of ink, causing a decrease in image quality due to ink overflow (e.g., page 5, lines 12 through 22); and in order to solve such a technical problem, in the present invention the ink-receiving layer comprises the two regions having different degrees of cross-linking, with the binder distributed as claimed. (Of course, the claims are not limited to the disclosed embodiments.)

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. Furthermore, Applicants respectfully submit that a full appreciation of these amendments will not require undue time or effort given the Examiner's familiarity with this application. Moreover, this Amendment was not earlier presented because Applicants earnestly believed that the prior Amendment placed the

subject application in condition for allowance. Accordingly, entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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